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October 23, 2007

**VIA ELECTRONIC FILING**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**Re: CC Docket No. 02-33 - Notice of Discontinuance of Wholesale DSL Transport Services Tariff**

Dear Ms. Dortch:

Pursuant to the Commission's *Wireline Broadband Order*,<sup>1</sup> BellSouth Telecommunications Inc., doing business as AT&T Alabama, AT&T Florida, AT&T Georgia, AT&T Kentucky, AT&T Louisiana, AT&T Mississippi, AT&T North Carolina, AT&T South Carolina, AT&T Tennessee and hereafter referred to collectively as "AT&T Southeast," hereby notifies the Commission that effective November 15, 2007, AT&T Southeast will no longer offer wholesale DSL transport services on a tariffed common carrier basis. AT&T Southeast intends, however, to continue to offer alternative service arrangements on a non-common carrier basis via negotiated commercial agreements and generally available terms and conditions. This service change affects all of AT&T Southeast's service areas in the franchised territories including Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.

On October 23, 2007, AT&T Southeast notified all affected customers by letter sent via U.S. Mail that effective November 23, 2007, AT&T Southeast will no longer offer wholesale DSL transport services on a tariffed common carrier basis. A copy of the letter is attached hereto as Attachment 1.

In addition, a copy of this letter has been submitted to the public utility commission and the governor in each of the nine southeastern states in which these services will be discontinued and has been provided to the Special Assistant for Telecommunications for the Secretary of Defense as well.

<sup>1</sup> *Appropriate Framework for Broadband Access to the Internet over Wireline Facilities Universal Service Obligations of Broadband Providers*, Report and Order and Notice of Proposed Rulemaking, CC Docket No. 02-33, 20 FCC Rcd 14853, ¶ 101 (2005) (*Wireline Broadband Order*).

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If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

/s/ Terri L. Hoskins  
Terri L. Hoskins

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### **CERTIFICATE OF SERVICE**

I, Lacreteria Hill, do certify that I have, on this 23rd day of October 2007, served a copy of the foregoing Notice of Discontinuance of Wholesale DSL Transport Service Tariff to the following:

Honorable Bob Riley  
Governor State of Alabama  
State Capitol  
600 Dexter Avenue  
Montgomery, Alabama 36130

Alabama Public Service Commission  
P.O. Box 304260  
100 North Union Street, Suite 850  
Montgomery, Alabama 36130

Governor Charlie Crist  
Plaza Level 05, The Capitol  
400 South Monroe Street  
Tallahassee, Florida 32399-0001

Lisa Polak Edgar, Chairman  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

Governor Sonny Perdue  
State of Georgia  
203 State Capitol  
Atlanta, Georgia 30334

Georgia Public Service Commission  
244 Washington Street, SW  
Atlanta, Georgia 30334

Governor Ernie Fletcher  
Office of the Governor  
Suite 100  
700 Capital Avenue  
Frankfort, Kentucky 40601

Elizabeth O'Donnell, Executive Director  
Kentucky Public Service Commission  
211 Sower Boulevard  
P.O. Box 615  
Frankfort, Kentucky 40602-0615

Governor Kathleen Babineaux Blanco  
P.O. Box 94004  
Baton Rouge, LA 70804-9004

Lawrence C. St. Blanc  
Executive Secretary  
Louisiana Public Service Commission  
Galvez Building, 12<sup>th</sup> Floor  
602 North Fifth Street, P.O. Box 91154  
Baton Rouge, Louisiana 70821-9154

Governor Haley Barbour  
P.O. Box 139  
Jackson, Mississippi 39205

Mississippi Public Service Commission  
P.O. Box 1174  
Jackson, Mississippi 39215

Governor Michael F. Easley  
Office of the Governor  
20301 Mail Service Center  
Raleigh, North Carolina 27699-0301

Edward S. Finley, Jr., Chairman  
North Carolina Utilities Commission  
4325 Mail Service Center  
Raleigh, North Carolina 27699-4325

Governor Mark Sanford  
Office of the Governor  
P.O. Box 12267  
Columbia, South Carolina 29211

Public Service Commission of South Carolina  
101 Executive Center Drive, Suite 100  
Columbia, South Carolina 29210

Governor Phil Bredesen  
Governor's Office  
Tennessee State Capitol  
Nashville, TN 37243-0001

Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243-0505

Secretary of Defense  
Attn: Special Assistant for Telecommunications  
Pentagon  
Washington, DC 20301

/s/ Loretta Hill  
Loretta Hill

## **ATTACHMENT 1**



October 23, 2007

COMPANY NAME

ADDRESS

CITY, STATE ZIP

Re: Updated Notification

Dear Valued AT&T Customer:

Our records show that you are currently obtaining wholesale DSL transport services pursuant to BellSouth Tariff FCC No. 1 ("Tariff"). This letter advises that BellSouth Telecommunications, Inc. d/b/a AT&T Southeast in the franchise territories of AT&T Alabama, AT&T Florida, AT&T Georgia, AT&T Kentucky, AT&T Louisiana, AT&T Mississippi, AT&T North Carolina, AT&T South Carolina and AT&T Tennessee (collectively "AT&T Southeast") will be discontinuing the provision of this service on November 23, 2007 pursuant to the Tariff and that continued receipt of the service will be made available pursuant to the Terms and Conditions for Embedded Based Grandfathered Wholesale DSL Circuits ("Grandfathered Terms and Conditions"). The rates, billing, minimum quantity, and other relevant provisions from the Tariff will not change in the Grandfathered Terms and Conditions.

Pursuant to Bulletin 282, dated October 31, 2005, AT&T Southeast (formerly BellSouth) announced that the FCC released an order in CC Docket Nos. 02-33 and 01-337 in which it determined that facilities-based wireline broadband Internet access service providers were no longer required to offer the wireline broadband transmission component of wireline broadband Internet access service as a standalone telecommunications service under Title II of the Telecommunications Act. As a result, for new services obtained after the effective date of the FCC's Order, November 15, 2005, AT&T Southeast offered wholesale DSL transport services pursuant to non-common carrier offerings (Generally Available Terms and Conditions and/or Commercial Agreement). As we previously advised, the embedded base of end users that received services purchased under the Tariff (pre-November 15, 2005) would remain under the Tariff until AT&T Southeast discontinued the Tariff or the end user experienced a change in service.

With this letter, AT&T Southeast is providing notice that effective November 23, 2007, AT&T Southeast will discontinue the Tariff. As a result, any wholesale DSL transport services provided after the Tariff is discontinued will be provided pursuant to and governed by the Grandfathered Terms and Conditions, which were sent via letter dated October 18, 2007.

If you have questions, please contact your AT&T Southeast Representative for assistance.

Sincerely,

Salvador M. Cuellar, Jr.  
AT&T Southeast  
Floor/Suite 9-F-03  
500 McCullough Ave  
San Antonio, TX 78215-2104